

## REMARKS

Applicants appreciate the thorough review of the present application as reflected in the Official Action mailed January 26, 2004 and the withdrawal of the rejections based on U.S. Patent No. 6,198,473 to Armstrong ("Armstrong") set forth in the Official Action dated May 22, 2003. Applicants respectfully submit, however, that the claims are patentable over newly cited U.S. Patent No. 6,567,079 to Smailagic ("Smailagic") for reasons similar to the reasons that the claims are patentable over Armstrong. In particular, embodiments of the present invention use a "scroll" output to control web page navigation, as opposed to using, for example, a NEXT or PREVIOUS push-button. As discussed below, Smailagic, like Armstrong, simply discloses conventional push-button web navigation techniques as opposed to the use of scroll output as taught in certain embodiments of the present invention.

### **I. The Claims Are Patentable Over Smailagic**

Claims 1 and 14 stand rejected under 35 U.S.C. § 102(e) as anticipated by Smailagic. (Official Action, p. 2). In particular, the Official Action cites to Col. 7, lines 37-56, Col. 8, lines 57-67, Col. 9, lines 1-26 and Figs. 1, 7 and 9 of Smailagic as disclosing each of the recitations of independent Claims 1 and 14. (Official Action, pp. 2-3).

Claim 1 of the present application recites the following:

1. A method of browsing a set of linked web pages, comprising the steps of:  
detecting scrolling output;  
responsive to the scrolling output, determining a URL of a web page; and  
accessing the web page by a web browser.

Corresponding recitations are found in Claim 14. Applicants submit that the cited portion of Smailagic does not disclose or suggest "determining a URL of a web page" **in response to a detected scrolling output** as recited in Claims 1 and 14.

Smailagic describes use of "an ergonomic input device" to browse hypertext documents. (Smailagic at Col. 1, lines 23-27). The ergonomic input device includes a rotary 16-position switch 22 and three push-button switches 24a, 24b, 24c. (Smailagic at Col. 3, lines 49-57). The cited portions of Smailagic describe the use of the ergonomic input device to browse through a series of hypertext documents. In particular, Smailagic explains that the rotary switch may be used move a selection indicia between various options on the screen which a user may select. (See, e.g., Smailagic at Col. 8, lines 16-21 and Fig. 7). Once the

selection indicia is located on the option the user wishes to select, such as, for example, a hyperlink or a "next" or "previous" button, **the user presses one of the buttons 24a, 24b, 24c on the input device to implement the selection.** (See, e.g., Smailagic at Col. 8, lines 37-39, 43-48 and 52-56 and Fig. 7). Thus, to the extent that the rotary dial 22 of Smailagic can be characterized as providing a "scrolling output", such output is used **solely** to determine the position of the selection indicia on a computer screen. In effect, the rotary switch 22 is used as a pointing device. In the device of Smailagic, nothing is done with respect to determining the URL of a web page and accessing the web page associated with that URL until **after** the user performs a conventional push-button operation. Thus, Smailagic does not disclose using scrolling output to browse through a set of linked web pages, but instead discloses using a rotary switch to move a cursor on the screen. With the device of Smailagic, browsing the web pages is performed using **conventional push-button activated** hyperlinks and/or "next" or "previous" buttons.

In contrast, in the embodiments of the present invention recited in Claims 1 and 14, a scroll output is used to obtain a desired web page. This is reflected in Claims 1 and 14 by the recitation "responsive to the scrolling output, determining a URL of a web page." This recitation explicitly indicates that the web page that is to be accessed is identified "responsive to the scrolling output." Smailagic does not disclose or suggest using a "scrolling output" to call-up a desired web page, but instead has the user perform a standard push-button operation with respect to one of the push-button switches 24a, 24b, 24c. In fact, Smailagic, like the Armstrong reference discussed in the previous Official Action, teaches away from determining the URL in response to scrolling output as Smailagic (like Armstrong) discloses using a push-button operation to provide access to the desired web page even though Smailagic discloses providing a rotary switch that the Official Action characterizes as providing a "scrolling output." Accordingly, Applicants submit that Claims 1 and 14 are not anticipated or suggested by Smailagic.

## **II. The Claims Are Not Obvious In Light of Smailagic in View of Armstrong**

Claims 2 and 15 stand rejected as obvious under 35 U.S.C. § 103 based on Smailagic in view of Armstrong. (Official Action, p. 3). Applicants submit that each of these claims is patentable as depending from a patentable base claim for at least the reasons discussed above with respect to Claims 1 and 14.

Claims 3-5, 8-13, 16-18 and 21-26 also stand rejected as obvious under 35 U.S.C. § 103 based on Smailagic in view of Armstrong. (Official Action, p. 4).

Independent Claim 3 includes the following recitations:

3. A method for using a scroll mouse to browse a set of linked web pages, comprising the steps of:
  - displaying a source page that is a member of a set of linked web pages;
  - detecting scrolling output of a scroll mouse while the source page is displayed;
  - determining a sense of direction of the scrolling output;
  - responsive to the sense of direction, determining a URL associated with a destination page that is a member of the set of linked web pages; and
  - accessing the destination web page by a web browser.

Corresponding recitations are also found in independent Claim 16. Applicants submit that Claims 3 and 16 are patentable over the combination of Smailagic and Armstrong for reasons analogous to those discussed above with reference to Claims 1 and 14. In particular, the cited portions of Smailagic do not disclose or suggest determining a URL associated with a destination web page "responsive to a sense of direction of the scrolling output" of a scroll mouse. Instead, the cited portions of Smailagic identify and access the web page associated with a hyperlink or a "next" or "previous" button in response to the user pushing one of the push-buttons 24a, 24b, 24c. Thus, as neither Smailagic nor Armstrong, either alone or in combination, disclose or suggest using the output of a scrolling function to browse a set of linked web pages, Applicants respectfully submit that those references cannot properly be used to reject Claims 3 or 16 under 35 U.S.C. § 103.

Claims 4-5, 8-13, 17-18 and 21-26 each depend from either Claim 3 or Claim 16. Accordingly, these claims are each patentable as depending from a patentable base claim. Applicants further submit that at least Claims 8, 10-11, 21 and 23-24 are separately patentable over the cited combination of Smailagic and Armstrong. In particular, these claims each recite that the scroll output is used to select a URL associated with a NEXT, PREVIOUS, FORWARD or BACK "button of the source page." (*See e.g.*, Claim 10). However, neither of the cited references disclose associating a URL with any such button. Instead, in Smailagic, rotation of the rotary switch 22 is associated with the Tab or Shift-Tab feature of Netscape's Communicator that acts to move a selection indicia through hyperlinks or other user-selectable indicia displayed on a web page. Movement of the rotary switch 22 does not in any way access the web page that is referenced by a hyperlink or other indicia;

instead, such access to a web page is only available via a traditional selection of the hyperlink or other indicia using a push-button selector. As described in detail in Applicants response to the previous Official Action, Armstrong likewise does not disclose or suggest using scroll output to move between URL's associated with previous and/or next buttons of a web page. Accordingly, Applicants submit that Claims 8, 10-11, 21 and 23-24 are separately patentable for at least these additional reasons.

Claims 6 and 19 stand rejected as obvious under 35 U.S.C. § 103 based on Smailagic and Armstrong in combination with U.S. Patent No. 5,530,455 to Barros ("Barros"). Applicants submit that Claims 6 and 19 are patentable as depending from a patentable base claim.

Claims 7 and 20 stand rejected as obvious under 35 U.S.C. § 103 based on Smailagic and Armstrong in combination with U.S. Patent No. 5,877,766 to Bates ("Bates"). Applicants submit that Claims 7 and 20 are patentable as depending from a patentable base claim.

### **III. New Claims 27-29 are Patentable Over the Cited Art**

Applicants have added new Claims 27 and 28, which depend from Claims 1 and 3, respectively, Claim 27, which is also representative of Claim 28, recites:

27. The method of Claim 1, further comprising entering a scrolling mode prior to detecting the scrolling output.

Applicants respectfully submit that Claims 27 and 28 are patentable both because they each depend from a patentable base claim, and because the cited references do not disclose or suggest entering a scrolling mode prior to using scrolling output to browse a set of linked web pages.

Claim 29 recites:


29. The method of Claim 1, wherein the URL of the web page is determined in response only to the scrolling output.

Applicants respectfully submit that Claim 29 is also patentable both because it depends from a patentable base claim, and because the cited references do not disclose or suggest determining the URL of the web page in response to only the scrolling output.

### CONCLUSION

As should be clear from the discussion above, according to embodiments of the present invention, a scrolling output from, for example, a scroll wheel on a scrolling mouse, may be used by a user viewing a first web page to call-up a second web page without any additional actions by the user. In contrast, the rotary switch 22 disclosed in the Smailagic reference cited in the Official Action only allows a user to move a selection indicia across the first web page, and cannot be used to call-up the second page. Instead, Smailagic teaches that a conventional push-button "next" or "previous" action (which clearly does not provide a "scrolling output") is used to call-up the second web page. As such, and in light of the entirety of the discussion above, Applicants submit that the present application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

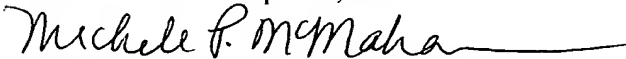


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